



Atty. Dkt. No. 133074-1
(092585-0107)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Eugene George OLCZAK
Title: JOINED MULTIFUNCTIONAL OPTICAL DEVICE
Appl. No.: 10/671,846
Filing Date: 9/25/2003
Examiner: Alicia Ann Chevalier
Art Unit: 1794
Confirmation Number: 8697

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 9, 2008, finally rejecting Claims 2-13, 29-33, and 35-38.

[] Applicant claims small entity status.

[X] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Notice of Appeal Fee

[X] To be paid as detailed below

[] Not required (Fee paid in prior appeal)

11/12/2008 JA0001 000000014 10671846
01 FC:1401 540.00 OP
02 FC:1251 130.00 OP

The required fees are calculated below:

[X]	Notice of Appeal Fee	\$540.00
[X]	Extension for response filed within the first month:	\$130.00
[]	Extension:	\$0.00
	FEE TOTAL:	\$670.00
[]	Small Entity Fees Apply (subtract ½ of above):	\$0.00
	TOTAL FEE:	\$670.00

A credit card payment form in the amount of \$670.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date November 10, 2008

By Thomas G. Bilodeau

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5490
Facsimile: (202) 672-5399

Michael D. Kaminski
Attorney for Applicant
Registration No. 32,904

Thomas G. Bilodeau
Attorney for Applicant
Registration No. 43,438